

Anderson et al.
Serial No.: 10/050,848
Page 5 of 6

REMARKS/ARGUMENTS

In response to the Final Rejection mailed May 19, 2003, Applicants have canceled claims 1-17, 26-29, 31 and 33-55 without prejudice, present a terminal disclaimer and the following remarks. A statement under 37 CFR 3.73(b) is also attached to document a chain of ownership.

Applicants have also filed a change of address and an associate power of attorney/authorization of agent.

Claims 18-25, 30 and 32 remain. All of these claims have been indicated to be allowed. Since all other claims have been canceled, the present application should be in condition for immediate allowance.

While applicants disagree with the basis for the rejections under 35 USC 102 and 35 USC 103, to expedite prosecution, the claims so rejected have been canceled without prejudice to presenting the same claims in a divisional or continuation application.

As for the Double Patenting rejection, attached is a terminal disclaimer relating to U.S. Patent 6,254,834, which overcomes this rejection. The attached statement under 37 CFR 3.73(b) further documents the co-ownership of the patent and this patent application presently being examined.

In view of the above amendments, attached terminal disclaimer and comments, the claims are now in conditions for allowance and applicants request a timely Notice of Allowance be issued in this application.

Anderson et al.
Serial No.: 10/050,848
Page 6 of 6

The commissioner hereby is authorized to charge payment of any fees under 37 CFR § 1.17, including terminal disclaimer fees, which may become due in connection with the instant application or credit any overpayment to Deposit Account No.500933.

Respectfully submitted,



Date: August 19, 2003

John E. Tarcza
Reg. No. 33,638

Attachments:

- 1) Terminal Disclaimer
- 2) Statement under 37 CFR 3.73(b)
- 3) Change of Address
- 4) Associate Power of Attorney/Authorization of Agent

John E. Tarcza
Intellectual Property Advisor
Large Scale Biology Corporation
20451 Seneca Meadows Parkway
Germantown, MD 20876
301-354-1200 ext. 1223
301-354-1300 Fax.
E-MAIL john.tarcza@lsbc.com